

Wetlands Bureau Decision Report

Decisions Taken
07/04/2005 to 07/10/2005

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-02338 WEARE, TOWN OF WEARE Piscataquog River & Horace Lake

Requested Action:

Impact a total of 10,100 sq. ft. (temporary and permanent), in and adjacent to Horace Lake and Horace Lake Marsh prime wetlands for reconstruction and associated rip rap bank stabilization of the Abijah Road bridge, including a total of 4,780 square feet in prime wetlands, including 1,580 temporary impact and 3,200 permanent impact; a total of 5,280 square feet adjacent to prime wetlands, including 1,330 square feet of temporary impact, and 3,950 square feet of permanent impact adjacent to prime wetlands.

Inspection Date: 12/01/2004 by Dori A Wiggin

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Impact a total of 10,100 sq. ft. (temporary and permanent), in and adjacent to Horace Lake and Horace Lake Marsh prime wetlands for reconstruction and associated rip rap bank stabilization of the Abijah Road bridge, including a total of 4,780 square feet in prime wetlands, including 1,580 temporary impact and 3,200 permanent impact; a total of 5,280 square feet adjacent to prime wetlands, including 1,330 square feet of temporary impact, and 3,950 square feet of permanent impact adjacent to prime wetlands.

With Findings:

1. On 9/28/2004 the Department of Environmental Services ("DES") Wetlands Bureau received an application to impact at total of 10,100 square feet, including temporary and permanent impacts, in and adjacent to Lake Horace and the Lake Horace marsh prime wetlands for reconstruction and associated rip rap bank stabilization of the Abijah Road bridge.
2. On 9/30/2004 DES sent the applicant an administrative completeness letter.
3. On 10/5/2004 DES notified the Piscataquog River Local Advisory Committee ("LAC") of the receipt of the application associated with the designated Piscataquog River and Horace Lake.
4. On 10/26/2004 DES received comments from the Piscataquog River LAC expressing concern over the wetlands impacts and describing support for installation of a water control structure as a part of the new bridge construction, to stabilize the fluctuating water level on the Horace Lake Marsh side of the bridge and serve as mitigation for the bridge impacts.
5. On 12/1/2004 DES personnel conducted a field inspection of the site.
6. On 12/6/2004 DES sent a request for more information to the applicant requesting a full set of plans, clear depiction of the location of the Town right-of-way on both sides of the road; a report from a biologist regarding the status of the reported brook floater mussel in this system; and written permission from landowners outside the town right-of-way from which easements or (other written landowner permission) are needed for the project construction which included abutters William Sutar and NHDES Water Resources Bureau.
7. On 1/5/2005 DES held a prime wetlands public hearing on the project.
8. At the prime wetlands hearing DES again expressed the need for the Town to acquire landowner permission for the project to occur on land not owned by the Town or covered by Town road right-of-way.
9. At the prime wetlands hearing testimony was presented by the Piscataquog River LAC and the Executive Director of the Piscataquog Watershed Association in support of construction of a water control structure , which was not part of the original application, be added to the construction of the new bridge in order to protect the Horace Lake Marsh from lowered water levels associated with the drawdown of Horace Lake. Both parties were working to establish funding to apply for the water control structure project and hoped to have it installed at the bridge concurrent with the bridge reconstruction.
10. At the conclusion of the hearing the record was left open until May 5, 2005 to allow the applicant to submit additional technical items, and landowner permission; and for the Piscataquog River LAC and the Piscataquog Watershed Association to develop plans for the water control structure for possible addition to the current application or to be submitted independently, but concurrent with the bridge application.
11. On 1/20/2005 the Executive Director of the Piscataquog Watershed Association indicated to DES that they had secured funding for the water control structure, were developing plans, and would try to have a request submitted before the record closed 5/5/2005.
12. On 1/28/2005 DES received a copy of a memo from the applicant's engineer reflecting a telephone conversation with DES Water Resources Bureau personnel detailing the extensive public process necessary for the state to grant an easement or ownership of its land to another party for this project, and that this would not take place, even if initiated, until well into the administration of

the new governor, and that it could not be estimated when this would occur.

13. On 2/16/2005 DES sent a follow-up letter to the applicant highlighting outstanding items from the hearing still to be submitted, key among them, resolution to the land owner permission issue.

14. On 5/2/2005 DES received the outstanding technical items, but did not receive landowner permission or easements for either William Sutar or the DES Water Resources Bureau for the project to proceed on land not owned by the town.

15. No application request, either added to this application, or submitted separately, has been received to date from the Piscataquog Watershed Association or Piscataquog River LAC for the water control structure associated with the bridge.

16. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.

17. DES did not receive the requested additional information, specifically landowner permission to conduct the project on land not owned by the town within the 120 days, or by the close of the public hearing record, and finds no indication that the applicant will be able to provide such information in the foreseeable future, therefore the application has been denied.

2005-00004 ZEBROWITZ, LESLIE
ANTRIM Franklin Pierce Lake

Requested Action:

Place 32 sq ft of temporary fill for access in order to fill voids and place rip-rap along 350 linear ft of shoreline along Franklin Pierce Lake in Antrim.

APPROVE PERMIT:

Place 32 sq ft of temporary fill for access in order to fill voids and place rip-rap along 350 linear ft of shoreline along Franklin Pierce Lake in Antrim.

With Conditions:

1. All work shall be in accordance with plans and construction sequence by Pellettieri Associates, as received by the Department on May 31, 2005. The temporary fill for access shall be placed in a accordance with plans by Pellettieri Associates as received by the Department on June 22, 2005.
2. The temporary fill shall be completely removed from the jurisdiction of the DES Wetlands Bureau upon completion of the rip-rap.
3. Upon removal of the temporary fill the impacted area shall be regraded to original contours following completion of work.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
8. Work shall be done during drawdown.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(h), alteration of more than 200 linear of shoreline of a lake or pond.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of Franklin Pierce Lake.

2005-00011 NH DEPT OF TRANSPORTATION
ALLENSTOWN Suncook River

Requested Action:

Reconstruct and widen Rte. 3, replace the double decker bridge, realign intersections and upgrade drainage impacting 57,613 sq. ft. of mostly river and banks (37,373 sq. ft. temporary).

Conservation Commission/Staff Comments:

Cons. Comm. no comment.

Inspection Date: 07/08/2005 by Gino E Infascelli

APPROVE PERMIT:

Reconstruct and widen Rte. 3, replace the double decker bridge, realign intersections and upgrade drainage impacting 57,613 sq. ft. of mostly river and banks (37,373 sq. ft. temporary). NHDOT project #12361.

With Conditions:

1. All work shall be in accordance with plans by HTA Consulting Engineers and NHDOT Bureau of Highway Design dated Dec. 21, 2004, as received by the Department on January 3, 2005.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
18. The impacts associated with the temporary work shall be restored immediately following construction.

19. Final Planting plan to be submitted to the file.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c) and (i), alteration of more than 20,000 sq. ft. of non-tidal wetlands and more than 200 linear feet of river channel and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence, which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 8, 2005. Field inspection determined the areas to be used for the treatment of drainage will improve water quality and the placement of humus along with planting with woody vegetation will mitigate impacts along the riparian zone.
6. Inspection finds that there will not be a significant impact on the resources of this riverine ecosystem as protected by RSA 482-A and therefore a public hearing is not required.

2005-00179 BATES, CHARLES
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Fill 840 sq ft to construct a 60 ft dog-leg configured breakwater with a 18 ft gap at the shoreline, a 4 ft x 30 ft cantilevered pier connected to two 4 ft x 30 ft piling piers by a 6 ft x 30 ft piling supported walkway accessed by 3 ft x 10 ft wood steps and install two 12 ft x 30 ft seasonal canopies and two boatlifts within the two slips, on 100 ft of frontage on Lake Winnepesaukee.

APPROVE PERMIT:

Fill 840 sq ft to construct a 60 ft dog-leg configured breakwater with a 18 ft gap at the shoreline, a 4 ft x 30 ft cantilevered pier connected to two 4 ft x 30 ft piling piers by a 6 ft x 30 ft piling supported walkway accessed by 3 ft x 10 ft wood steps and install two 12 ft x 30 ft seasonal canopies and two boatlifts within the two slips, on 100 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Docks Unlimited as received by the Department on June 15, 2005 and breakwater cross-sectional plans by Docks Unlimited received January 27, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for 5 months during the non-boating season.
4. Canopies shall not exceed 12 ft in height above normal high water.
5. All seasonal structures shall be removed from the lakebed for 5 months during the non-boating season.
6. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
9. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
10. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
11. Rocks may not remain stockpiled on the frontage for a period longer than 60 days. Rocks shall not be stockpiled with 20 ft of any property line or the extension of any property line over the water.
12. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
13. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.

14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
15. The breakwater shall have an irregular face to dissipate wave energy.
16. Support pilings shall be spaced a minimum of 12 ft apart as measured center to center.
17. If the owner of the breakwater causes significant adverse affects on abutting property owners or on public use of the water, shall modify the breakwater so as to eliminate such adverse effects. If modification is impossible or ineffective, the owner of the breakwater shall remove the breakwater.
18. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rule Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
3. The applicant has an average of 100 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 2 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, and therefore meets Rule Wt 402.14.
6. Public hearing is waived based on field inspection, by NH DES staff, on April 1, 2005, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. Field inspection on April 1, 2005 found no obvious evidence of sand migration along this shoreline.

2005-00480 TOLEND ROAD PROPERTIES LLC
DOVER Unnamed Wetland

Requested Action:

Dredge and fill a total of 22,686 sq. ft. (12,735 sq. ft. permanent impacts for roadway construction; 9,951 sq. ft. temporary impacts for utilities installation) of palustrine forested/ scrub-shrub wetlands to develop a 73-unit, age restricted, open space subdivision on a 57 acre parcel of land of which 16.19 acres will be protected by a Conservation Easement and an additional 22.72 acres will be preserved in perpetuity as Open Space by a Protected Covenant.

Conservation Commission/Staff Comments:

The Dover Conservation Commission has reviewed this project proposal and voted to endorse the application and made recommendations regarding the mitigation area.

Inspection Date: 06/08/2005 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 22,686 sq. ft. (12,735 sq. ft. permanent impacts for roadway construction; 9,951 sq. ft. temporary impacts for utilities installation) of palustrine forested/ scrub-shrub wetlands to develop a 73-unit, age restricted, open space subdivision on a 57 acre parcel of land of which 16.19 acres will be protected by a Conservation Easement and an additional 22.72 acres will be preserved in perpetuity as Open Space by a Protected Covenant.

With Conditions:

1. All work shall be in accordance with plans by Hancock Associates and McEneaney Survey Associates, Inc. dated 1/27/05, as received by the Department on March 11, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Record plan with conservation easement for each appropriate lot within 30 days from receipt of this decision and submit a certified receipt from the Strafford County Registry of Deeds to the DES Wetlands Bureau.
5. NH DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.

6. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Silt fencing must be removed once the area is stabilized.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Culvert outlets shall be properly rip rapped.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Land Resources Preservation:

1. This permit is contingent upon the execution of a Conservation Easement on 16.19 acres as depicted on plans by McEneaney Survey Associates, Inc. dated May 4, 2005 as received by the Wetlands Bureau on June 15, 2005 .
2. The conservation easement to be placed on the preservation area(s) shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Strafford County Registry of Deeds Office for each appropriate lot. A copy of the recording from the Strafford County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on June 8, 2005. Field inspection determined the project proposal is reasonable and the conservation easement provides compensatory mitigation for wetlands impacts.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this palustrine wetland ecosystem based on field inspection and report from the City of Dover Conservation Commission.

MINOR IMPACT PROJECT

2004-01764 SABA, GLEN
LACONIA Lake Winnepesaukee

2005-00137 HGA LTD
NEW IPSWICH Unnamed Wetland

Requested Action:

Dredge and fill 3,270 square feet of palustrine forested and scrub-shrub wetlands such that: 460 square feet provides access to the 13 lot subdivision known as Oakwood Common and 1,145 square feet is for driveway access to 4 of the lots and 1,665 square feet is for construction of a fire pond.

Conservation Commission/Staff Comments:

The Conservation Commission on January 19, 2005, requested a hold on the final review for 40 days for the town clerks signature. The Conservation Commission submitted comments on June 14, 2005.

APPROVE PERMIT:

Dredge and fill 3,270 square feet of palustrine forested and scrub-shrub wetlands such that: 460 square feet provides access to the 13 lot subdivision known as Oakwood Common and 1,145 square feet is for driveway access to 4 of the lots and 1,665 square feet is for construction of a fire pond.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. sheets 1-3 dated February 9, 2005, sheets 4-6, sheets 7 and 11 dated February 22, 2005, and sheets 8-10 dated April 18, 2005, as received by the Department on June 7, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. Work shall be done during low flow.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The conservation commission requested consideration for increasing the side slope impacts to provide a greater vegetative buffer to treat stormwater runoff based on the roadways not being paved.
6. The subdivision roadways will be paved; while a common driveway for 3 lots would be unpaved it has been designed to disperse stormwater runoff with sheet flow.

2005-00410

H & K PROPERTIES, LLC

HINSDALE Unnamed Wetland

Requested Action:

Dredge and fill 9,434 square feet of palustrine forested wetlands to provide access to a 2-Lot subdivision and maintain a 25 foot undisturbed natural vegetated buffer around the wetlands on Lot 15-2.

Conservation Commission/Staff Comments:

On March 11, 2005, the conservation commission requested additional time to review the application.

NHF&G requested vernal pool survey related to possible presence of state-endangered species protected under RSA 212-A.

APPROVE PERMIT:

Dredge and fill 9,434 square feet of palustrine forested wetlands to provide access to a 2-Lot subdivision and maintain a 25 foot undisturbed natural vegetated buffer around the wetlands on Lot 15-2.

With Conditions:

1. All work shall be in accordance with plans by Clough Harbour Associates, LLP: Sheets C-1 and C-2, dated February 25, 2005, Sheet C-3 dated May 5, 2005 and Sheets C-4 thru C-7 dated May 30, 2005, as received by the Department on June 6, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
8. This permit is contingent upon the establishment of a 25 foot buffer around the wetlands on Lot 15-2 to be left in its natural state as depicted on plans received June 6, 2005.
9. The boundaries of the wetland buffer shall be clearly marked prior to construction, shall be remain marked until construction is complete and the area is fully stabilized.
10. Work shall be done during low flow.
11. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project impacts 9,434 sq ft of nontidal jurisdictional wetlands and is therefore a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NHF&G Department requested a vernal pool survey and review for the presence of a species of concern protected under the NH Endangered Species Conservation Act (RSA 212-A).
6. Normandeau Associates identified 4 vernal pools on the subject lot, though no presence of the species of concern was documented.
7. The potential for an occurrence of the species of concern was determined to be low based on the ecology of the vernal pools.
8. NHF&G requested a buffer around the wetlands and vernal pools be established.
9. An existing, natural vegetated buffer of 25 feet will be maintained around the wetlands on Lot 15-2.
10. Stormwater controls have been designed to treat runoff prior to entering wetlands.

2005-00727 MULRENIN, DUDLEY/LYNDA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replace two 5 ft x 8 ft cribs with 16 pilings to support a 4 ft x 29 ft piling pier and a 4 ft x 27 ft 3 in piling pier connected by a 11 ft 3 in x 1 ft 6 in walkway in a "U" configuration accessed by 3 ft x 2 ft walkway from a 8 ft x 19 ft 6 in deck on an average of 135 ft of frontage in Moultonborough Bay, Lake Winnepesaukee.

APPROVE PERMIT:

Replace two 5 ft x 8 ft cribs with 16 pilings to support a 4 ft x 29 ft piling pier and a 4 ft x 27 ft 3 in piling pier connected by a 11 ft 3 in x 1 ft 6 in walkway in a "U" configuration accessed by 3 ft x 2 ft walkway from a 8 ft x 19 ft 6 in deck on an average of 135 ft of frontage in Moultonborough Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Docks Unlimited dated February 5, 2005, as received by the Department on April 18, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Crib materials removed from the lake bed shall be placed outside of the jurisdiction of the DES Wetlands Bureau unless another use is specifically permitted.
5. Rocks shall not be stockpiled in jurisdiction.
6. No rocks shall be dredged or deposited within 20 feet of an abutting property line or the imaginary extension of that line into the water.
7. Dimensions, location, and configuration shall not change besides crib removal. Further modification may require another permit from the Department.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is deemed to be a minimum impact project per Administrative Rule Wt 303.04(o).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-00791 TILTON, TOWN OF
TILTON Winnepesaukee River

Requested Action:

1. Temporarily impact 200 sq ft of riverbed and place stone over 108 sq ft of riverbed and bank to construct an 18 ft wide carry-in watercraft access ramp.
2. Construct three 29 ft 3 in x 9 ft 6 in cantilevered fishing wharves two of which shall be accessed by 9 ft wide walkways, the third to be accessed by a 10 ft wide walkway and partially covered by 14 ft x 14 ft permanent roof.
3. Remove exotic and invasive species from 568 linear feet of frontage to be revegetated with native non-invasive species.

Conservation Commission/Staff Comments:

Con Com has no objections

NH NHI and NH Fish and Game will not be submitting comments

APPROVE PERMIT:

1. Temporarily impact 200 sq ft of riverbed and place stone over 108 sq ft of riverbed and bank to construct an 18 ft wide carry-in watercraft access ramp.
2. Construct three 29 ft 3 in x 9 ft 6 in cantilevered fishing wharves two of which shall be accessed by 9 ft wide walkways, the third to be accessed by a 10 ft wide walkway and partially covered by 14 ft x 14 ft permanent roof.
3. Remove exotic and invasive species from 568 linear feet of frontage to be revegetated with native non-invasive species.

With Conditions:

1. All work shall be in accordance with plans by Vanasse, Hangen, Brustlin, Inc. as received by the Department on April 25, 2005.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. All dredged or excavated material and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
10. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding

properties. Planting invasive or exotic species is strictly prohibited.

11. The contractor/party responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

12. All activity on this property shall be conducted in a manner compliant with the requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of permanent wharves providing less than 5 boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has demonstrated in writing that proposed project has been designed to benefit the public interest by providing increased free public access to Lake Winnepesaukee and the Meredith Bay area.
6. Rule Wt 402.02, Dimensions, is waived as the project is deemed to be in the public interest.
7. The removal of exotic, invasive species from the protected shoreland and replanting of the shoreline with native species is consistent with the intent of RSA 483-B as it pertains to maintaining a healthy, natural woodland buffer.

2005-01102 UNITIL ENERGY SYSTEMS INC, HAMPTON
SEABROOK Blackwater River

Requested Action:

Impact 8,500 sq. ft. in previously disturbed upland tidal buffer zone for work associated with the expansion of the chain link perimeter safety fencing and the installation of a grounding grid at the existing electric substation to be in compliance with the current National Electric Safety Code.

Conservation Commission/Staff Comments:

The Seabrook Conservation Commission has reviewed this application and have no objections.

APPROVE PERMIT:

Impact 8,500 sq. ft. in previously disturbed upland tidal buffer zone for work associated with the expansion of the chain link perimeter safety fencing and the installation of a grounding grid at the existing electric substation to be in compliance with the current National Electric Safety Code.

With Conditions:

1. All work shall be in accordance with plans by J.A.Davis & Associates dated 4/27/2005, as received by the Department on May 19, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. NH DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Area shall be regraded to original contours following completion of work.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(b).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

MINIMUM IMPACT PROJECT

2005-00214 NH DEPT OF TRANSPORTATION
LYNDEBOROUGH Unnamed Wetland

Requested Action:

Replace twin 30 in. x 45 ft. culverts and place stone at inlets and outlets impacting 220 sq. ft. of stream and ponded wetland.

Conservation Commission/Staff Comments:

Cons. Comm. no comment

APPROVE PERMIT:

Replace twin 30 in. x 45 ft. culverts and place stone at inlets and outlets impacting 220 sq. ft. of stream and ponded wetland.

NHDOT project #M414-1.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 4 dated 1/18/05 as received by the Department on February 1, 2005.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

2005-00240 NH DEPT OF TRANSPORTATION
WASHINGTON Unnamed Wetland

Requested Action:

Replace a 7 ft. x 32 ft. box culvert with a 7 ft. x 38 ft. pre-cast box culvert providing a wider shoulder impacting 900 sq. ft. of stream and banks (630 temporary).

Conservation Commission/Staff Comments:

Cons. Comm. no comment

APPROVE PERMIT:

Replace a 7 ft. x 32 ft. box culvert with a 7 ft. x 38 ft. pre-cast box culvert providing a wider shoulder impacting 900 sq. ft. of stream and banks (630 temporary). NHDOT project #M404-1.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 4 dated 01/05 as received by the Department on February 3, 2005.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

**2005-00752 TIDEWATCH CONDO. ASSOC.
PORTSMOUTH Unnamed Wetland Drainage Swale**

Requested Action:

Dredge and fill 200 sq. ft. of jurisdictional wetlands in an existing drainage swale to install 50 linear feet of 30 in. dia. CMP culvert and cover to grade, including a stone headwall and rip-rap erosion control apron in the tidal buffer zone. In addition, three (3) stone check dams will be installed in the existing wetland drainage swale upstream of the project.

Conservation Commission/Staff Comments:

Portsmouth Conservation Commission signed Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 200 sq. ft. of jurisdictional wetlands in an existing drainage swale to install 50 linear feet of 30 in. dia. CMP culvert and cover to grade, including a stone headwall and rip-rap erosion control apron in the tidal buffer zone. In addition, three (3) stone check dams will be installed in the existing wetland drainage swale upstream of the project.

With Conditions:

1. All work shall be in accordance with plans by Maguire Group, Inc. dated 04/04/05, as received by the Department on April 20, 2005.
2. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Three (3) stone check dams shall be installed in existing wetlands drainage swale upstream of the project PRIOR to installation of the culvert.
5. Proper headwall shall be constructed within seven days of culvert installation.
6. Culvert outlet shall be properly rip rapped.
7. Work shall be done during low flow.

2005-01061 HILL, RICHARD
DANBURY Taylor Brook

Requested Action:

Reset stones fallen from existing abutment to the bed of Taylor Brook.

Conservation Commission/Staff Comments:

The town of Danbury does not have a conservation commission.

CONFIRM EMERGENCY AUTHORIZATION:

Reset stones fallen from existing abutment to the bed of Taylor Brook.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. The project was necessary to repair the existing bridge abutment to maintain access to two single family residences.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on May 23, 2005.
4. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2005-01296 WALLACE, LIAM & VIRGINIA
HANOVER Mink Brook

Requested Action:

Confirm emergency authorization to repair 40 feet of failed retaining wall along the bank of Mink Brook in kind.

Conservation Commission/Staff Comments:

The conservation commission did not comment on this emergency situation.

APPROVE PERMIT:

Repair 40 feet of failed retaining wall along the bank of Mink Brook in kind.

With Conditions:

1. All work shall be in accordance with plans by XXX dated XXX, as received by the Department on XXX.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. The project was necessary to stabilize the bank of Mink Brook in order to prevent damage to an existing single family residence.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on June 22, 2005.
4. Review of the report submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

FORESTRY NOTIFICATION

2005-01480 GIOSEFFI, ANTHONY
PEMBROKE Unnamed Stream

COMPLETE NOTIFICATION:
Pembroke Tax Map 266, Lot# 69B

2005-01482 MULCAHY, JASON
PEMBROKE Unnamed Stream

COMPLETE NOTIFICATION:
Pembroke Tax Map 266, Lot# 69

2005-01489 BUCKNELL, WILLIAM
CHESTERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Chesterfield Tax Map 16, Lot# C3, C5 & C5.1

2005-01490 SCHAUMBURG, ALLEN
CHESTERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Chesterfield Tax Map 3, Lot# A3, A5 & A6-1

2005-01491 BEMIS FARM TRUST
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Tamworth Tax Map 424, Lot# 5 & 10

2005-01493 NEW HAMPSHIRE FISH & GAME
PITTSBURG Unnamed Stream

COMPLETE NOTIFICATION:
Pittsburg Tax Map F8 & B6, Lot# 26-NC

2005-01494 SWETT, NANCY, ROBERT & DOUGLAS
CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
Conway Tax Map 240, Lot# 29

2005-01496 PLUM CREEK MAINE TIMBERLANDS LLC
CAMBRIDGE Unnamed Stream

COMPLETE NOTIFICATION:
Cambridge Tax Map 1619, Lot# 42

2005-01503 ADAMS, RAYE
UNITY Unnamed Stream

COMPLETE NOTIFICATION:
Unity Tax Map 17, Lot# 733-4

2005-01507 FELTZ, MARY/TIMOTHY
FRANCESTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Francestown Tax Map 6, Lot# 17

2005-01508 PAEY, DAVID
MILTON Unnamed Stream

COMPLETE NOTIFICATION:
Milton Tax Map 13, Lot# 3

2005-01509 NORCO CORPORATION
ORANGE Unnamed Stream

COMPLETE NOTIFICATION:
Orange Tax Map 3, Lot# 13 & 25

2005-01514 BURNELL, DOUGLAS & KATHRYN
BARTLETT Unnamed Stream

COMPLETE NOTIFICATION:
Bartlett Tax Map 4HURRI, Lot# 130L01

EXPEDITED MINIMUM

2005-00262 FALCON HEIGHTS PROPERTIES, LLC
GOFFSTOWN Unnamed Pond

Requested Action:

Impact 1,465 sq. ft. to fill a man-made pond.

Conservation Commission/Staff Comments:

Con. Com. did not sign expedited application.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Impact 1,465 sq. ft. to fill a man-made pond.

With Findings:

1. On 2/9/2005 DES received an expedited minimum impact application to fill 1,465 sq. ft. to eliminate a man-made pond.
2. A request for additional information dated 3/2/2005, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request. The letter also notified the applicant that the expedited application had not been signed by the Conservation Commission as required by Administrative Rule Wt 501.01(q); and that demonstrated need for the project needed to be addressed.
3. No further response has been received from the applicant.
4. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
5. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2005-00465

HATHORN, BRIAN

STRAFFORD Unnamed Wetland

Requested Action:

Fill approximately 675 square feet of palustrine forested wetlands and install a 30' x 18" culvert to provide access to one lot of a 2-Lot subdivision.

Conservation Commission/Staff Comments:

Conservation commission signed the expedited application.

APPROVE PERMIT:

Fill approximately 675 square feet of palustrine forested wetlands and install a 30' x 18" culvert to provide access to one lot of a 2-Lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by James M. Lavelle Associates, LLC, as received by the Department on June 3, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during low flow.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of nontidal jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Initial screening by the Department triggered a review by NHI and NHF&G.
6. No response received by the Department from NHI and NHF&G.
7. The Department has determined the incorporation of Lot 10 is not applicable. The lot line adjustment creates a buffer between existing lots and does not affect the project proposal for impacts to areas under the Departments jurisdiction.

2005-00642 PRINS, ALEXANDRA
CENTER SANDWICH Unnamed Wetland

Requested Action:

Dredge and fill 9991 square feet of poorly drained scrub shrub wetland for pond construction and agricultural access.

Conservation Commission/Staff Comments:

The Conservation Commission signed this minimum impact application.

APPROVE PERMIT:

Dredge and fill 9991 square feet of poorly drained scrub shrub wetland for pond construction and agricultural access.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants dated December 13, 2004, as received by the Department on April 6, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Work shall be conducted during low water conditions.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p); Construction of a pond with less than 20,000 sq.ft. of wetlands impact, provided none of the wetlands have type A hydric soil as defined in Env-Ws 1014.02, and that there are no streams into or out of the proposed pond site, and the project is not located in prime wetlands and does not meet the requirements of Wt 303.02(k).

2005-00714 SPRAGUE ENERGY CORP
NEWINGTON Unnamed Wetland

Requested Action:

Impact a total of 620 sq. ft. of jurisdictional wetlands to relocate a property boundary/ security fence at the Sprague Energy Corp. River Road Terminal to accommodate NH DOT mandated roadway reconstruction of the Spaulding Turnpike.

APPROVE PERMIT:

Impact a total of 620 sq. ft. of jurisdictional wetlands to relocate a property boundary/ security fence at the Sprague Energy Corp. River Road Terminal to accommodate NH DOT mandated roadway reconstruction of the Spaulding Turnpike.

With Conditions:

1. All work shall be in accordance with plans by Appledore Marine Engineering, Inc. dated April, 2005, as received by the Department on April 14, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.
5. NH DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.

LAKES-SEASONAL DOCK NOTIF

2005-01298 KIMBALL, ADAM
WASHINGTON Millen Pond

Conservation Commission/Staff Comments:

Due to configuration of pier this application was denied. Applicant was notified by phone and and expedited application was sent 6/14/05. DES received a letter from applicant wishing to install a 6'x 30' seasonal dock with no "T".

COMPLETE NOTIFICATION:

Washington Tax Map 15, Lot# 93 Millen Lake

2005-01455 DEBLOIS, ROSALIND
WINDHAM Canobie Lake

COMPLETE NOTIFICATION:

Windham Tax Map 22L, Lot# 91

2005-01456 BURKE, KEVIN & LINDA
SANBORNTON Hunkins Pond

COMPLETE NOTIFICATION:

Sanbornton Tax Map 23, Lot# 17-2 Hunkins Pond

2005-01458 CUMMINGS, THOMAS
SALEM Arlington Pond

COMPLETE NOTIFICATION:

Salem Tax Map 34, Lot# 12220 Arlington Pond

**2005-01459 DAVIS II /LOWER, L WILLIAM/JANET
ALTON Lake Winnepesaukee**

COMPLETE NOTIFICATION:
Alton Tax Map 48, Lot# 3 Lake Winnepesaukee

**2005-01460 CONFER, GARY
WAKEFIELD Pine River Pond**

COMPLETE NOTIFICATION:
Wakefield Tax Map 73, Lot# 152 Pine River Pond

**2005-01461 SATNICK, SUZANNE
MOULTONBOROUGH Wakondah Pond**

COMPLETE NOTIFICATION:
Moultonboro Tax Map 50, Lot# 1 Wakondah Pond

**2005-01462 KENNEDY /JOHNSON, CHARLES/LYNDA
TUFTONBORO Lake Winnepesaukee**

COMPLETE NOTIFICATION:
Tuftonboro Tax Map 25, Lot# 1 Lake Winnepesaukee

**2005-01463 ONEIL JR /ONEIL/GAGE, A GERALD/KATHY/N/T/RITA
SANBORNTON Winnisquam Lake**

COMPLETE NOTIFICATION:
Sanbornton Tax Map 17, Lot# 16 Lake Winnisquam

ROADWAY MAINTENANCE NOTIF

**2005-01276 ENFIELD, TOWN OF
ENFIELD Unnamed Stream**

**2005-01475 NH DEPT OF TRANSPORTATION, DISTRICT ONE
LANCASTER Unnamed Stream**

2005-01478 NH DEPT OF TRANSPORTATION
TEMPLE Unnamed Stream

2005-01479 NH DEPT OF TRANSPORTATION
ANTRIM Drainage And Catch Basin

2005-01510 NH DEPARTMENT OF TRANSPORTATION
ENFIELD Roadside Ditch

2005-01511 NH DEPT OF TRANSPORTATION
EAST KINGSTON Unnamed Wetland

2005-01512 NH DEPT OF TRANSPORTATION
MARLBOROUGH Unnamed Stream

PERMIT BY NOTIFICATION

2005-01444 DAGOSTINO, JEFFERY
DEERFIELD Unnamed Wetland

Requested Action:
Construct a driveway with a 35'x 15" culvert impacting 1300 sq. ft. of wetlands

PBN IS COMPLETE:
Construct a driveway with a 35'x 15" culvert impacting 1300 sq. ft. of wetlands

2005-01522 ZUK, ROLF
MONROE Unnamed Stream Wetland

Requested Action:

Construct a 16 ft. wide driveway with a 20'base, installing two 12" culverts over a 58'ft span using gravel as bed on a 1:1 slope

COMPLETE NOTIFICATION:

Construct a 16 ft. wide driveway with a 20'base, installing two 12" culverts over a 58'ft span using gravel as bed on a 1:1 slope